

Calendar No. 527

106TH CONGRESS
2^D SESSION**S. 2340****[Report No. 106–278]**

To direct the National Institute of Standards and Technology to establish a program to support research and training in methods of detecting the use of performance-enhancing drugs by athletes, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 3, 2000

Mr. MCCAIN (for himself, Mr. BROWNBACK, Mr. LEAHY, and Mr. SESSIONS) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

MAY 3, 2000

Reported by Mr. MCCAIN, with amendments

[Omit the part struck through and insert the part printed in *italic*]

A BILL

To direct the National Institute of Standards and Technology to establish a program to support research and training in methods of detecting the use of performance-enhancing drugs by athletes, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Amateur Sports Integ-
3 rity Act”.

4 **TITLE I—PERFORMANCE**
5 **ENHANCING DRUGS**

6 **SEC. 101. SHORT TITLE.**

7 This Title may be cited as “Athletic Performance-En-
8 hancing Drugs Research and Detection Act”.

9 **SEC. 102. RESEARCH AND DETECTION PROGRAM ESTAB-**
10 **LISHED.**

11 (a) IN GENERAL.—The Director of the National In-
12 stitute of Standards and Technology shall establish and
13 administer a program under this title to support research
14 into the use of performance-enhancing substances by ath-
15 letes, and methods of detecting their use.

16 (b) GRANTS.—

17 (1) IN GENERAL.—The program shall include
18 grants of financial assistance, awarded on a competi-
19 tive basis, to support the advancement and improve-
20 ment of research into the use of performance-en-
21 hancing substances by athletes, and methods of de-
22 tecting their use.

23 (2) BANNED SUBSTANCES.—In carrying out the
24 program the Director shall consider research pro-
25 posals involving performance-enhancing substances
26 banned from use by competitors in events sanctioned

by organizations, such as the International Olympic Committee, the United States Olympic Committee, the National Collegiate Athletic Association, the National Football League, the National Basketball Association, and Major League Baseball.

(3) RESEARCH CONCENTRATION.—In carrying out the program, the Director shall—

(A) fund research on the detection of naturally-occurring ~~steroids~~ *steriods, such as testosterone*, and other testosterone precursors (e.g., androstendione), ~~such as testosterone~~, and other substances, such as human growth hormone and erythropoietin for which no tests are available but for which there is evidence of abuse or abuse potential;

(B) fund research that focuses on population studies to ensure that tests are accurate for men, women, all relevant age, and major ethnic groups; and

(C) not fund research on drugs of abuse, such as cocaine, phencyclidine, marijuana, morphine/codeine, *benzodiazepines, barbiturates*, and methamphetamine/amphetamine.

(c) TECHNICAL AND SCIENTIFIC PEER REVIEW.—

1 (1) IN GENERAL.—The Director shall establish
2 appropriate technical and scientific peer review pro-
3 cedures for evaluating applications for grants under
4 the program.

5 (2) IMPLEMENTATION.—The Director shall—

6 (A) ensure that grant applicants meet a
7 set of minimum criteria before receiving consid-
8 eration for an award under the program;

9 (B) give preference to laboratories with an
10 established record of athletic drug testing anal-
11 ysis; and

12 (C) establish a minimum *individual* grant
13 award of not less than ~~\$500,000~~. *\$500,000 per*
14 *fiscal year*.

15 (3) CRITERIA.—The list of minimum criteria
16 shall include requirements that each applicant—

17 (A) demonstrate a record of publication
18 and research in the area of athletic drug test-
19 ing;

20 (B) provide a plan detailing the direct
21 transference of the research findings to lab ap-
22 plications in athletic drug testing; and

23 (C) certify that it is a not-for-profit re-
24 search program.

1 (4) RESULTS.—The Director also shall estab-
2 lish appropriate technical and scientific peer review
3 procedures for evaluating the results of research
4 funded, in part or in whole, by grants provided
5 under the program. Each review conducted under
6 this paragraph shall include a written report of find-
7 ings and, if appropriate, recommendations prepared
8 by the reviewer. The reviewer shall provide a copy of
9 the report to the Director within 30 days after the
10 conclusion of the review.

11 (d) AUTHORIZATION OF APPROPRIATIONS.—There
12 are authorized to be appropriated to the Director of the
13 National Institute of Standards and Technology
14 \$4,000,000 per fiscal year to carry out this section for
15 fiscal years 2001, 2002, 2003, 2004, and 2005.

16 **SEC. 103. PREVENTION AND INTERVENTION PROGRAMS.**

17 (a) IN GENERAL.—The Director of the National In-
18 stitute of Standards and Technology shall develop a grant
19 program to fund educational substance abuse prevention
20 and intervention programs related to the use of perform-
21 ance-enhancing substances described in section 102(b)(2)
22 by high school and college student athletes. The Director
23 shall establish a set of minimum criteria for applicants
24 to receive consideration for an award under the program.

1 The list of minimum criteria shall include requirements
 2 that each applicant—

3 (1) propose an intervention and prevention pro-
 4 gram based on methodologically sound evaluation
 5 with evidence of drug prevention efficacy; and

6 (2) demonstrate a record of publication and re-
 7 search in the area of athletic drug use prevention.

8 (b) MINIMUM GRANT AWARD.—The Director shall
 9 establish a minimum *individual* grant award of not less
 10 than \$300,000 ~~per recipient.~~ *per fiscal year.*

11 (c) AUTHORIZATION OF APPROPRIATIONS.—There
 12 are authorized to be appropriated to the Director of the
 13 National Institute of Standards and Technology
 14 \$3,000,000 per fiscal year to carry out this section for
 15 fiscal years 2001, 2002, 2003, 2004, and 2005.

16 **TITLE II—GAMBLING**

17 **SEC. 201. PROHIBITION ON GAMBLING ON COMPETITIVE**

18 **GAMES INVOLVING HIGH SCHOOL AND COL-**

19 **LEGE ATHLETES AND THE OLYMPICS.**

20 (a) IN GENERAL.—The Ted Stevens Olympic and
 21 Amateur Sports Act (chapter 2205 of title 36, United
 22 States Code) is amended by adding at the end the fol-
 23 lowing new subchapter:

1 “SUBCHAPTER III—MISCELLANEOUS

2 “§ 220541. Unlawful sports gambling: Olympics; high
3 school and college athletes

4 “(a) PROHIBITION.—It shall be unlawful for—

5 “(1) a governmental entity to sponsor, operate,
6 advertise, promote, license, or authorize by law or
7 compact, or

8 “(2) a ~~person~~ person, *including an amateur*
9 *sports organization (as defined in section 3701 of title*
10 *28), or a corporate sponsor of such an organization,*
11 *to sponsor, operate, advertise, or promote, pursuant*
12 *to law or compact of a governmental entity;*

13 a lottery, *contest*, sweepstakes, or other betting, gambling,
14 or wagering scheme based, directly or indirectly, on a com-
15 petitive game or performance described in subsection ~~(b)~~.
16 *(b), including a sweepstakes or contest that includes prizes*
17 *related directly or indirectly to such a covered game or per-*
18 *formance.*

19 “(b) COVERED GAMES AND PERFORMANCES.—A
20 competitive game or performance described in this sub-
21 section is the following:

22 “(1) One or more competitive games at the
23 Summer or Winter Olympics.

24 “(2) One or more competitive games in which
25 high school or college athletes participate.

1 “(3) One or more performances of high school
2 or college athletes in a competitive game.

3 “(c) APPLICABILITY.—The prohibition in subsection
4 (a) applies to activity described in that subsection without
5 regard to whether the activity would otherwise be per-
6 mitted under subsection (a) or (b) of 3704 of title 28.

7 “(d) INJUNCTIONS.—A civil action to enjoin a viola-
8 tion of subsection (a) may be commenced in an appro-
9 priate district court of the United States by the Attorney
10 General of the United States, a local educational agency,
11 college, or sports organization, including an amateur
12 sports organization or the corporation, whose competitive
13 game is alleged to be the basis of such violation.

14 “(e) DEFINITIONS.—In this section:

15 “(1) *HIGH SCHOOL*.—The term ‘high school’
16 has the meaning given the term ‘secondary school’ in
17 section 14101 of the Elementary and Secondary
18 Education Act of 1965 (U.S.C. 8801).

19 “(2) *COLLEGE*.—The term ‘college’ has the
20 meaning given the term ‘institution of higher edu-
21 cation’ in section 101 of the Higher Education Act
22 of 1965 (20 U.S.C. 8801).

23 “(3) *LOCAL EDUCATIONAL AGENCY*.—The term
24 ‘local educational agency’ has the meaning given
25 that term in section 14101 of the Elementary and

1 Secondary Education Act of 1965.” ~~(U.S.C. 8801).~~
 2 1965 (20 U.S.C. 8801).

3 “(f) *GAMBLING ENFORCEMENT INFORMATION AND*
 4 *POLICIES.*—

5 “(1) *REPORTING REQUIRED.*—*Each college shall*
 6 *include statistics and other information on illegal*
 7 *gambling, including gambling over the Internet, in*
 8 *addition to the other criminal offenses on which the*
 9 *college is required to report under section 1092(f) of*
 10 *title 20, in the form and manner prescribed by that*
 11 *section.*

12 “(2) *STATEMENT OF POLICY.*—*Each college shall*
 13 *include a statement of policy regarding under-age*
 14 *and other illegal gambling activity in the form and*
 15 *manner required for statements of policy on alcoholic*
 16 *beverages and illegal drugs under section 1092(f) of*
 17 *title 20, including a description of any gambling*
 18 *abuse education programs available to students and*
 19 *employees of that college.*

20 “(3) *ATTORNEY GENERAL REVIEW REQUIRED.*—
 21 *Notwithstanding paragraph (2) of section 1092(f) of*
 22 *title 20, the Attorney General shall, in consultation*
 23 *with the Secretary of Education, periodically review*
 24 *the policies, procedures, and practices of colleges con-*

1 *cerning campus crimes and security related, directly*
 2 *or indirectly, to—*

3 *“(A) illegal gambling; and*

4 *“(B) the integrity of athletic contests in*
 5 *which students of that college participate.”.*

6 (b) CLERICAL AMENDMENT.—The table of sections
 7 at the beginning of that Act (chapter 2205 of title 36,
 8 United States Code) is amended by adding at the end the
 9 following:

“SUBCHAPTER III—MISCELLANEOUS

“220541. Unlawful sports gambling: Olympics; high school and college athletes.”.

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